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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

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10 CATALINA YACHTS, INC., a
California Corporation,

11 Plaintiff,

12 v.

13 SHARON DAY, an individual;
GERARD DOUGLAS, an individual;
14 and DOES 1 through 10, inclusive,

15 Defendants

16 Case No. 2:25-CV-04090-SVW-RAO

17 Assigned to the Hon. Stephen V.
Wilson

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**DECLARATION OF STEVEN M.
BERMAN IN SUPPORT OF
COUNTER-PLAINTIFF'S NOTICE
OF MOTION AND MOTION FOR
LEAVE TO AMEND SHARON
DAY'S ANSWER AND
COUNTERCLAIMS**

20 Date: October 20, 2025

Time: 1:30 p.m.

Dept.: 10A

21 Action Filed: May 7, 2025

Trial Date: None Set

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AND RELATED COUNTERCLAIMS

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DECLARATION OF STEVEN M. BERMAN
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4 I, Steven M. Berman, declare as follows:
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6 1. I am an attorney duly admitted to practice before this Court. I am a
7 partner with Shumaker, Loop & Kendrick, LLP, attorneys of record for Counter-
8 Plaintiff, Sharon Day, (“Defendant” or “Movant”). I have personal knowledge of the
9 facts set forth herein, except as to those where the statement is based upon my
10 information and belief and, as to those, I am informed and believe that they are true.
11 If called as a witness, I could and would competently testify to the matters stated
12 herein. I make this declaration in further support of Movant’s Motion for Leave to
13 Amend the Answer and Counterclaims of Defendant, Sharon Day (the “Motion to
14 Amend”).

15 2. On September 30, 2025, and October 6, 2025, our office communicated
16 with Mike Lieb of Ervin Cohen & Jessup, counsel of record for Plaintiff and Counter-
17 Defendant Catalina Yachts, Inc., (“Catalina”) and Daniel Kaplan of the Law Offices
18 of Daniel A. Kaplan, counsel of record for Defendant and Counter-Plaintiff, Gerard
19 Douglas (“Douglas”) regarding whether each of their respective clients consent to
20 the relief requested in the Motion to Amend.

21 3. During this exchange with Messrs, Kaplan and Lieb, our office
22 discussed the amended counterclaims and corresponding removal of Michael
23 Reardon as a counterclaim party-defendant.

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4. While the parties do not oppose the dismissal of Mr. Reardon, which would be effectuated by the proposed amendment, neither party expressed affirmative approval or disapproval of the proposed amended counterclaim..

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

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Executed on this 13th day of October 2025 in Gulf Breeze, Florida.



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Steven M. Berman